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Chief Administrative Officer

Board of Supervisors
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First District

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Second District

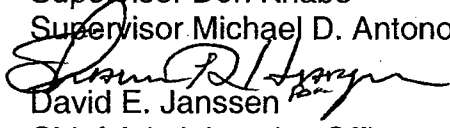
ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

August 25, 2005

To: Supervisor Gloria Molina, Chair
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: 
David E. Janssen
Chief Administrative Officer

SACRAMENTO UPDATE

Pursuit of County Position on Legislation

AB 624 (Montañez), as amended on August 15, 2005, would require the California Department of Health Services (CDHS) and the Managed Risk Medical Insurance Board to deem any child who meets the income requirements for the Child Health and Disability Program (CHDP) to have met the income requirements for the Healthy Families and Medi-Cal programs. It also would require CDHS to modify the electronic CHDP gateway application process to allow simultaneous application for all three programs. AB 624 includes a \$2 million appropriation from the State General Fund to implement this proposal as a pilot program for children under two years of age.

Families can currently use the electronic CHDP gateway application to enroll their children into temporary Healthy Families or Medi-Cal coverage for a maximum of two months. The family must then follow-up with a joint Healthy Families/Medi-Cal application to continue coverage. If the follow-up application is not submitted within the two months, the child's coverage is automatically terminated. AB 624 would require CDHS to condense the current two-step CHDP gateway application process into one simple application and extend the two-month period until a final eligibility determination is made. The provisions of this bill will only be implemented to the extent that an appropriation is made for this purpose.

According to the sponsor, Maternal and Child Health Access, families are having great difficulty navigating the complexities of the follow-up application, and many eligible children are losing coverage. AB 624 would make a simple electronic application available by consolidating the current two-step CHDP gateway process into one simple application, and avoid disruption of coverage.

The County Department of Health Services (DHS) recommends that the County support AB 624 because it will simplify the eligibility process for families enrolling children through the CHDP gateway, and allow them to maintain coverage until the County makes a final eligibility determination, and we concur. Consistent with existing Board policy to support proposals to simplify and align Medi-Cal and Healthy Families eligibility rules and applications processes to increase and expedite the enrollment of uninsured families, **our Sacramento Advocates will support AB 624.**

AB 624 is sponsored by Maternal and Child Health Access and supported by the American Federation of State, County and Municipal Employees; the 100 Percent Campaign; California Maternal, Child and Adolescent Health Directors; California Commission on the Status of Women; California District of the American Academy of Pediatrics; California Immigrant Welfare Collaborative; California Women Infants and Children Association; Children's Advocacy Institute; Consumers Union; JERICHO; Latin Issues Forum; Local Health Plans of California; March of Dimes; Mexican American Legal Defense Fund; National Health Law Program; Planned Parenthood Affiliates of California; and Western Center on Law and Poverty. There is no registered opposition.

AB 624 is scheduled for hearing in the Senate Appropriations Committee on August 25, 2005, and is currently on that Committee's suspense file.

SB 803 (Ducheny), as amended on August 18, 2005, would reauthorize and revise Proposition 36, the Substance Abuse and Crime Prevention Act of 2000, and would appropriate \$120 million annually to fund the Act through FY 2010-11. Proposition 36 requires that first or second time non-violent adult drug offenders who use, possess, or transport illegal drugs for personal use will receive drug treatment rather than incarceration. Under current law, funding ceases for this program in FY 2005-06, although county responsibility to provide drug treatment services continues.

SB 803 would make changes to Proposition 36 to strengthen the program through close monitoring of defendants under a collaborative model involving treatment providers, the court, probation, and parole; extended treatment services beyond the current 12-month limit when warranted; frequent drug testing; and use of short-term jail sanctions as a tool to enhance treatment compliance.

According to the author's office, the purpose of SB 803 is to strengthen Proposition 36 by requiring more accountability from drug offenders. The author contends that the program has failed to meet the goal of producing rehabilitated drug users who become

productive and responsible citizens. SB 803 is patterned after the Drug Court Program that requires frequent drug testing, ensures accountability of drug offenders, and results in higher rates of successful program completion.

According to the Department of Health Services (DHS), SB 803 reflects the consensus of a Statewide workgroup comprised of stakeholders representing the County Alcohol and Drug Program Administrator Association of California, Los Angeles County Alcohol and Drug Program Administration, treatment providers, the courts, and criminal justice agencies. The Drug Policy Alliance, sponsor of Proposition 36, was initially involved with this workgroup, but declined to participate further when jail sanctions were included as part of the consensus amendments to the bill.

DHS indicates that SB 803 would appropriate funds needed for the County to continue to provide drug treatment services mandated by Proposition 36, and would make changes needed to enhance the substance abuse treatment program. DHS recommends that the County support SB 803, and we concur. Consistent with existing County policy to support continued State funding for Proposition 36 as long as the mandate remains in effect, **our Sacramento Advocates will support SB 803.**

SB 803 is supported by the American Federation of State, County, and Municipal Employees; Association for Los Angeles Deputy Sheriffs, Inc.; California District Attorneys Association; California Judges Association; California Peace Officer's Association; California Probation, Parole and Correctional Association; California Public Defenders Association; California State Sheriff's Association; County Alcohol and Drug Program Administrators Association of California; Los Angeles County Sheriff's Department; Los Angeles County Deputy Probation Officers Union; Riverside Sheriffs' Association; San Bernardino County Sheriff's Department; and the Solano County Board of Supervisors. It is opposed by California Attorneys for Criminal Justice; California Medical Association; California Society of Addiction Medicine; Drug Policy Alliance Network; Friends Committee on Legislation of California; and Progressive Christians Uniting. SB 803 was held in the Assembly Public Safety Committee on August 23, 2005, and is now a two-year bill.

Status of County-Interest Legislation

County-supported if amended AB 109 (Chan), which would require county First 5 commissions to: 1) adopt policies regarding conflict of interest and contracting and procurement procedures; 2) adopt a limit on the amount of its operating budget that can be spent on administrative functions; 3) adopt policies and processes establishing the salaries and benefits of employees of the county commission; and 4) send its annual audit and report to the State First 5 Commission, passed the Senate on August 22, 2005 by a vote of 39 to 0, and now proceeds to the Assembly for concurrence in Senate amendments.

County-supported AB 208 (Gordon & Parra), which would authorize California school districts to give priority to children of military personnel seeking interdistrict transfers, passed the Senate on August 18, 2005 by a vote 32 of 2, and now proceeds to the Governor.

County-supported AB 338 (Levine), which would require the State Department of Transportation (Caltrans) to use increasing amounts of crumb rubber from waste tires in State highway, construction, and repair projects, was amended on August 16, 2005 to specify that only crumb rubber manufactured in the United States that is derived from waste tires taken from vehicles owned and operated in the United States, may be used for complying with the requirements regarding the use of specified percentages of asphalt containing crumb rubber. This measure was placed on the Senate Appropriations Committee Suspense File on August 22, 2005.

County-supported AB 696 (Chu), which would eliminate the Statewide Fingerprint Imaging System (SFIS) requirement for Food Stamp only cases, passed the Senate on August 23, 2005 by a vote of 25 to 15, and now proceeds to the Assembly for concurrence with the Senate amendments.

County-supported AB 856 (Bass), which would add the Director of the Department of Conservation, or his or her designee, as a non-voting member of the Baldwin Hills Conservancy (BHC) board, make changes pursuant to the Bagley-Keene Open Meeting Act, and repeal the requirement that the BHC obtain and maintain liability insurance, passed the Senate on August 22, 2005 by a vote of 26 to 10, and now proceeds to the Governor.

County-supported AB 1380 (Gordon) addresses the proposed overlay of the 310 area code. It would require: 1) the California Public Utilities Commission (CPUC) to request the Federal Communications Commission (FCC) to delegate authority to the CPUC to implement inventory management guidelines to ensure carrier compliance with six-month inventory rules and timing for donations and returns to the telecommunications numbering pool; and 2) the CPUC to develop rules that ensure compliance with FCC numbering resource optimization orders; passed the Senate on August 23, 2005 by a vote of 25 to 15, and now proceeds to the Assembly for concurrence in Senate amendments.

County-supported SB 287 (Cox), which would authorize the County of Los Angeles and several other counties to employ the design/build contracting method for the construction of public building and improvements, extend the sunset date in the design/build statute from January 1, 2006 to January 1, 2011, and make other changes related to the use of the design/build contracting method, passed the Assembly Appropriations Committee on August 17, 2005, and now proceeds to the Assembly Floor. SB 287 is a companion bill to **County-supported AB 1511 (Evans)**, a substantively similar design/build measure. The bills are double-joined and both must be passed and signed into law to allow either bill to be operative.

County-supported SB 578 (Escutia), which would require a railroad corporation to promptly notify the Office of Emergency Services, the California Highway Patrol, and designated county public safety agencies of any runaway train or uncontrolled train movement that involves hazardous materials that threatens public health and safety, and require the California Public Utilities Commission to investigate and report any incident pursuant to this requirement in its annual report to the Legislature, passed the Assembly Appropriations Committee on August 17, 2005 by a vote of 14 to 3, and now proceeds to the Assembly Floor.

County-supported SJR 13 (Escutia), which would urge the President and Congress of the United States to amend the Federal Railroad Safety Act to increase authority of state and local governments to enact railroad safety regulations providing greater protection for their residents from railroad derailments, hazardous materials spills, and highway-rail crossing accidents, as long as state enactments, rules, or regulations do not conflict with Federal law and do not impose an unreasonable burden on interstate commerce, passed the Senate on August 22, 2005 by a vote of 32 to 6, and now proceeds to the Assembly.

We will continue to keep you advised.

DEJ:GK
MAL:EW:LY:MS:VE:ib

c: Executive Officer, Board of Supervisors
 County Counsel
 Local 660
 All Department Heads
 Legislative Strategist
 Coalition of County Unions
 California Contract Cities Association
 Independent Cities Association
 League of California Cities
 City Managers Associations
 Buddy Program Participants